

Mt. Eden Annexation Project
Mitigation Monitoring and Reporting Program

September, 2004

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Significant Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p><u>Impact 4.1-1 - seismic ground shaking:</u> During a major earthquake along a segment of the Hayward Fault or one of the other nearby faults, moderate to strong ground shaking can be expected to occur within the Project area. Strong shaking during an earthquake could result in damage to buildings, roads, utility lines and other structures with associated risk to residents, employees and visitors in the area (<i>potentially significant impact and mitigation required</i>).</p>	<p><u>Mitigation Measure 4.1-1:</u> Site specific geotechnical reports shall be required for each building or group of buildings (such as in a subdivision), roads and utility lines constructed in the Project area. Investigations shall be completed by a geotechnical engineer registered in California. Design and construction of structures shall be in accordance with the recommendations contained in the reports. Generally, such recommendations will address compaction of foundation soils, construction types of foundations and similar items. Implementation of these evaluations shall be required to ensure consistency with the California Building Code and all other applicable seismic safety requirements.</p>	<p>Project Developers, including qualified project geotechnical engineers and structural engineers, and grading and construction contractors</p>	<p>City of Hayward Planning Division, Building Division and Engineering and Transportation Division</p>	<p>Investigations shall be conducted prior to submittal of development applications and associated recommendations are to be implemented during grading and construction operations</p>

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<u>Impact 4.1-2 - ground failure and liquefaction:</u> Damage to structures and other improvements within the Project area could occur from seismically-induced ground failure and liquefaction, resulting in damage to improvements and harm to Project area residents and visitors (<i>potentially significant impact and mitigation required</i>).	<u>Mitigation Measure 4.1-2:</u> Site-specific geotechnical reports required as part of Mitigation Measure 4.1-1 shall also address the potential for ground failure and liquefaction and include specific design and construction recommendations to reduce liquefaction and other seismic ground failure hazards to less-than-significant levels.	Project Developers, including qualified project geotechnical engineers and structural engineers, and grading and construction contractors	City of Hayward Planning Division, Building Division and Engineering and Transportation Division	Investigations shall be conducted prior to submittal of development applications and associated recommendations are to be implemented during grading and construction operations

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<p><u>Impact 4.2-1 - soil and/or groundwater contamination:</u> Properties within the Project area may contain contaminated soil and/or be located above contaminated groundwater plumes. Construction of new residences and non-residential buildings may expose future residents, employees, visitors and construction personnel to soils and/or water-borne levels of contamination above acceptable regulatory levels, resulting in adverse health effects (<i>potentially significant impact and mitigation required</i>).</p>	<p><u>Mitigation Measure 4.2-1:</u> As part of environmental review for development projects, project applicants shall submit a Phase I Environmental Site Analysis to the City of Hayward. If warranted by the Phase I report, a Phase II report shall be completed and all recommendations included in the Phase II report shall be included in the development Plan. If remediation is required, a hazardous materials work program shall be submitted to the appropriate regulatory agencies with a copy submitted to the Hayward Fire and Community and Economic Development Departments. Necessary permit(s) shall be obtained from the appropriate regulatory agencies. Remediation workers safety plans shall be included within each work plan.</p>	<p>Project Developers, including California-registered environmental assessors and other qualified professionals, such as California-registered geologists, and licensed contractors trained for such work</p>	<p>California Regional Water Quality Control Board, California Department of Toxic Substances Control, Hayward Fire Department, Hazardous Materials Office</p>	<p>Investigations are to be performed as part of environmental review and during the development review process and any required remediation is to be implemented prior to and, if appropriate, during and after construction</p>

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<p><u>Impact 4.2-2 - demolition and hazardous air emissions:</u> Demolition of existing buildings, utility facilities and other older facilities could release hazardous and potentially hazardous material into the atmosphere including asbestos containing materials and lead-based paints, potentially resulting in health hazards to construction employees and local visitors and residents (<i>potentially significant impact and mitigation required</i>).</p>	<p><u>Mitigation Measure 4.2-2 (demolition activities):</u> Prior to commencement of demolition activities within the Project area, project developers shall contact the Alameda County Environmental Health Department, Bay Area Air Quality Management District, California Department of Toxic Substances Control and the Hazardous Materials Division of the Hayward Fire Department, for required site clearances, necessary permits and facility closure with regard to demolition and removal of hazardous material from the site. All work shall be performed by licensed contractors in accord with State and Federal OSHA standards. Worker safety plans shall be included for all demolition plans.</p>	<p>Project Developers, including California-registered environmental assessors and other qualified professionals, such as California-registered geologists, and licensed contractors trained for such work</p>	<p>Bay Area Air Quality Management District, California Department of Toxic Substances Control, Alameda County Environmental Health Department, Hayward Fire Department, Hazardous Materials Office</p>	<p>Required site clearances and related permits are to be obtained prior to demolitions and any required measures are to be implemented during demolitions</p>

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<u>Impact 4.2-2 - demolition and hazardous air emissions, cont...</u>	<u>Mitigation Measure 4.2-3 (release of asbestos):</u> Prior to commencement of grading activities within the Project area, project developers shall conduct investigations by qualified hazardous material consultants to determine the presence or absence of asbestos containing material in the soil. If such material is identified that meets actionable levels from applicable regulatory agencies, remediation plans shall be prepared and implemented to remediate any hazards to acceptable levels, including methods for removal and disposal of hazardous material. Worker safety plans shall be prepared and necessary approvals and clearances shall be secured from appropriate regulatory agencies, including, but not limited to the Hayward Fire Department, California Department of Toxic Substances Control and the Bay Area Air Quality Management District.	Project Developers, including California-registered environmental assessors and licensed contractors trained for such work	Bay Area Air Quality Management District, California Department of Toxic Substances Control, Alameda County Environmental Health Department, Hayward Fire Department, Hazardous Materials Office	Required site clearances and related permits are to be obtained prior to demolitions and any required measures are to be implemented during demolitions

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<p><u>Impact 4.3-1 - soil erosion:</u> During future construction that could be facilitated by annexation, short-term increases of soil erosion could result due to exposure to wind and water erosion as individual properties are graded and developed (<i>potentially significant impact and mitigation required</i>).</p>	<p><u>Mitigation Measure 4.3-1:</u> Individual development projects within the Project area that disturb 10,000 square feet or more of land area shall prepare erosion and sedimentation control plans for implementation throughout Project construction. The plan should be prepared in accordance with the most current City of Hayward and Regional Water Quality Control Board design standards.</p>	Project Developers, including project engineers and grading and construction contractors	City of Hayward Engineering and Transportation Division, Alameda County Flood Control and Water Conservation District	Plans shall be developed and approved prior to issuance of grading and construction permits and implemented throughout projects construction periods

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<p><u>Impact 4.3-2 - non-point source pollution:</u> The quality of stormwater runoff from the Project area could deteriorate due to development as it picks up increased road surface pollutants, pesticides from increased landscaping, and other urban pollutants that do not presently exist in such high concentrations (<i>potentially significant impact and mitigation required</i>).</p>	<p><u>Mitigation Measure 4.3-2:</u> Any new development or redevelopment projects in the Project area shall implement construction methods that comply with performance standards of Section C.3 of the new NPDES Permit. In addition, for development or redevelopment projects that disturb more than 10,000 square feet of land, a Notice of Intent is required to be filed with the State of California Water Resources Control Board (SWRCB). A Stormwater Pollution Prevention Plan (SWPPP) is also required to be submitted to the SWRCB demonstrating use of specific best management practices during both construction and operational phases of such projects.</p>	<p>Project Developers, including project engineers and grading and construction contractors</p>	<p>City of Hayward Engineering and Transportation Division, Alameda County Flood Control and Water Conservation District, California Water Resources Control Board</p>	<p>Plans incorporating appropriate construction methods shall be developed and approved prior to issuance of grading and construction permits and implemented throughout projects construction periods and, if appropriate, during operational phases of projects</p>

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<p><u>Impact 4.3-3 - stormwater runoff and drainage patterns:</u> Future development within the Project area will increase the amount of stormwater runoff, since existing undeveloped or minimally developed properties would be converted to new structures, parking areas, roads and similar impervious surfaces. Existing drainage patterns will also be changed based on individual site grading operations, with resulting impacts to downstream drainage facilities (<i>potentially significant impact and mitigation is required</i>).</p>	<p><u>Mitigation Measure 4.3-3:</u> All new major development applications (involving 10,000 square feet of land area) within the Project area shall be accompanied by a drainage and hydrology study, prepared by a California-registered civil engineer. Each report shall document existing drainage quantities and direction, estimated increases in stormwater runoff from the proposed Project, an identification of existing and proposed funding of downstream drainage facilities and the capacity of such systems to accept additional run-off and the proposed Project's contribution to increasing the capacity of such systems, if needed. New development projects will be required to provide on-site detention, retention facilities and/or other improvements required by such studies to ensure that no net increase in downstream rate of stormwater flows occurs. Reports shall be approved by the Hayward City Engineer and Alameda County Flood Control and Water Conservation District staff prior to issuance of a grading permit.</p>	<p>Project Developers, including project engineers and grading and construction contractors</p>	<p>City of Hayward Engineering and Transportation Division, Alameda County Flood Control and Water Conservation District</p>	<p>Studies shall be developed and approved prior to issuance of grading and construction permits and implemented throughout projects construction periods</p>

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<p>Impact 4.3-4 – flooding: Portions of the Project area lie within a 100-year flood hazard area and new construction within the area could be subject to flood damage during severe storms (<i>potentially significant impact and mitigation is required</i>).</p>	<p>Mitigation Measure 4.3-4: For future development within a 100-year flood hazard area, future project applicants shall:</p> <ul style="list-style-type: none"> a) Submit a hydrology and hydraulic study prepared by a California-registered civil engineer proposing to remove the site from the 100-year flood hazard area through increasing the topographic elevation of the site or similar steps to minimize flood hazards. The study shall demonstrate that flood waters would not be increased on any surrounding sites. b) Comply with Article 4 of Chapter 9 (Flood Plain Management) of the Hayward Municipal Code, which establishes minimum health and safety standards for construction in a flood hazard area. c) Apply to the City for a Conditional Letter of Map Revision to remove the site from the FEMA Flood Insurance Rate Map 100-year flood hazard area. 	<p>Project Developers, including project engineers and grading and construction contractors</p>	<p>City of Hayward Engineering and Transportation Division, Alameda County Flood Control and Water Conservation District and, if appropriate, the Federal Emergency Management Agency</p>	<p>Studies and plans shall be developed and approved prior to issuance of grading and construction permits and implemented throughout projects construction periods</p>

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<u>Impact 4.4-1 - construction noise impacts:</u> Future residents within and adjacent to Project area could be subject to short-term but potentially significant noise due to the construction of new buildings, roadway improvements and associated infrastructure improvements within the Project area (<i>potentially significant and mitigation required</i>).	Adherence to Section 4-1.03 of the Hayward Municipal Code will ensure that short-term construction noises would be less-than-significant.	Project Developers, including project contractors	City of Hayward Planning and Building Divisions	During projects construction
<u>Impact 4.4-2 - permanent noise impacts:</u> Future construction of residences along the east side of Clawiter Road within the Project area could be subject to exterior noise levels within the “conditionally acceptable” noise level identified in the General Plan Noise Element (<i>potentially significant and mitigation required</i>).	<u>Mitigation Measure 4.4-2:</u> Site-specific acoustic reports shall be prepared by a qualified acoustic consultant for future residential construction located along the east side of Clawiter Road. Each report shall include an analysis of potential noise exposure from residential development and include specific measures to reduce exposure levels to City of Hayward noise standards.	Project Developers, including qualified acoustical consultants	City of Hayward Planning and Building Divisions	Acoustic studies shall be prepared prior to submittal of development applications. Any recommendations from such reports shall be implemented during construction.

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<p><u>Impact 4.4-4 - vibration impacts:</u> Future construction within the Dunn Road and Depot Road subareas could be subject to potentially significant vibration levels from railroad operations and truck activities (<i>potentially significant and mitigation required</i>).</p>	<p><u>Mitigation Measure 4.4-4:</u> Future development within the Dunn Road and Depot Road subareas where vibration impacts are suspected to be a problem shall be reviewed for potential vibration impacts at the time such development is submitted for City of Hayward review. If warranted, building foundations and other improvements shall be designed to reduce vibration levels to a less-than-significant level, including excavation and compaction of site soils, special foundation designs and structural design.</p>	<p>Project Developers, including qualified acoustical consultants and structural engineers</p>	<p>City of Hayward Planning and Building Divisions</p>	<p>Acoustic-vibration impact analyses shall be prepared prior to submittal of development applications. Any recommendations from such reports shall be implemented during construction.</p>
<p><u>Impact 4.5-2 - cumulative traffic impacts:</u> Anticipated development within the Project area will be consistent with land use density and intensity as set forth in the General Plan. (<i>This impact is considered significant and unavoidable; therefore, a statement of overriding considerations will be required</i>).</p>	<p>No mitigation measures available - See statement of overriding considerations.</p>			

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<p><u>Impact 4.7-1 - local and community park and recreation facilities:</u> Approval of the proposed annexation and subsequent development within the City of Hayward would increase the demand for local and community park and recreation facilities within the Mt. Eden area by 8.3 acres of parkland (<i>potentially significant and mitigation required</i>).</p>	<p><u>Mitigation Measure 4.7-1:</u> Payment of park dedication in-lieu fees or dedication/development of parkland and/or recreation facilities, as approved by HARD, at the time future development is permitted, will mitigate the demand for future parks. Possibilities for enhanced park and recreation facilities in and adjacent to the Project area may include the expansion and development of Greenwood Park, and/or the expansion of joint use facilities at Chabot College and Ochoa Middle School/Rancho Arroyo Park and a 3.55-acre area just west of the Waterford apartment complex along Depot Road within City limits, which is identified as a potential park site in the Mt. Eden Neighborhood Plan.</p>	Project Developers	City of Hayward Planning Division, Hayward Area Recreation and Park District and, if involved, State of California and South County Junior College District (Chabot College) and the Hayward Unified School District	<p>For park dedication in-lieu fees, payments shall be made prior to project finalization and issuance of certificates of occupancy.</p> <p>Other mitigation measures, including construction of new park facilities, are to be completed prior to project finalization and issuance of certificates of occupancy, or as arranged with the Hayward Area Recreation and Park District.</p>

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<p><u>Impact 4.7-3 - local schools:</u> Future development within the Project area would generate an estimated 190 elementary school students, 43 middle school students and 100 high school students at buildout of General Plan residential land use mid-range densities (<i>potentially significant and mitigation required</i>).</p>	<p><u>Mitigation Measure 4.7-3:</u> Prior to approvals of land use entitlements for individual development projects within the Project area by the City of Hayward, each project proponent shall pay school impact mitigation fees in effect at the time building permits are granted, or provide other mitigation as found acceptable by the Hayward Unified School District.</p>	Project Developers	City of Hayward Planning Division, Hayward Unified School District	<p>For school impact fees, payments shall be made prior to project finalization and issuance of certificates of occupancy.</p> <p>Other mitigations are to be completed prior to project finalization and issuance of certificates of occupancy, or as arranged with the Hayward Unified School District.</p>

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<p>Impact 4.8-1 - loss of trees: Future widening of streets within the Project area to accommodate anticipated development would result in loss of trees protected under the City's Tree Preservation Ordinance. Other protected trees would likely be removed on private property to accommodate development envisioned in the Hayward General Plan (<i>potentially significant impact and mitigation required</i>).</p>	<p>Mitigation Measure 4.8-1: Prior to widening of any streets within the Project area or development on private properties where protected trees exist, a tree survey shall be completed by a qualified arborist to determine if protected trees could be preserved and to identify specific preservation methods. If preservation is not feasible, a tree replacement plan shall be prepared in conformity with the City's Tree Preservation ordinance and approved by the Hayward Community and Economic Director.</p>	<p>Project Developers, including project certified arborists</p>	<p>City of Hayward Planning Division and Public Works Department</p>	<p>Tree surveys and associated recommendations are to be completed prior to public street improvement projects or private developments. Recommendations, including planting of new replacement trees, are to be implemented during construction of public street improvement projects and private development projects.</p>